

## MINUTES

MINUTES OF THE REGULAR SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, HELD ON TUESDAY, JUNE 6, 2023, AT 7:00 PM AT COUNCIL CHAMBERS LOCATED AT 915 S. TOVREAVILLE ROAD, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY MAYOR BUDGE AT 7:05PM.

### ROLL CALL

#### COUNCIL

Councilmember Juanetta Hill, Ward III

Councilmember Joni Giacomino, Ward II

Councilmember Frank Davis, Ward I

Mayor Ken Budge

Councilmember Leslie Johns, Ward I

Excused

Councilmember Mel Sowid, Ward II

Councilmember Anna Cline, Ward III, Mayor Pro Tempore

#### STAFF

Ashlee Coronado, City Clerk

Keri Bagley, Finance Director

Matthew Gurney, Public Works Director

Logan Dodd, Operations Manager

Tim Cox, Police Chief

Joe Ward, Building Official

#### CITY ATTORNEY

Joseph Estes

INVOCATION: A Moment of Silence

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

CALL TO THE PUBLIC

THE FOLLOWING ITEMS WERE DISCUSSED, CONSIDERED AND/OR DECIDED UPON AT THIS MEETING:

GENERAL BUSINESS:

1. ACCOUNTS PAYABLE: Subject to availability of funds.

MOTION: Councilmember Clines moved to approve accounts payable in the amount of \$314,177.67.

SECOND: Councilmember Davis

Councilmember Sowid inquired about gasoline use and if it was still within budget for the year.

Mr. Gurney replied that it was within budget.

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on May 16, 2023.

Ashlee Coronado, City Clerk

- B. Approval of a Park, Facility, and Right-of-Way Use Permit for B.R.A.T.S for the use of Tombstone Canyon and Main Street; from the Iron Man Down to the Post Office to hold an Art Car Parade on Saturday, October 28, 2023 from 4:00pm to 5:00pm.

Ashlee Coronado, City Clerk

- C. Approval of a Special Event Liquor License Application submitted by Bisbee Pride, Inc. for an event to be held on Howell Avenue, on Friday, June 16, 2023 from 6:00pm to 11:59pm; Ramon M. Garcia, Applicant.

Ashlee Coronado, City Clerk

- D. Approval of a Special Event Liquor License Application submitted by Bisbee Pride, Inc. for an event to be held at Grassy Park located at 39 Copper Queen Plaza, on Friday, June 16, 2023 from 12:00pm (Noon) to 6:00pm and Saturday, June 17, 2023 from 11:00am to 6:00pm; Ramon M. Garcia, Applicant.

Ashlee Coronado, City Clerk

- E. Approval of a Special Event Liquor License Application submitted by Bisbee Pride, Inc. for an event to be held outside of the Convention Center located at 2 Main Street, on Friday, June 16, 2023 and Saturday, June 17, 2023, from 6:00pm to 11:59pm each day; Ramon M. Garcia, Applicant.

Ashlee Coronado, City Clerk

MOTION: Councilmember Cline moved to approve the Consent Agenda 2A-2E.

SECOND: Councilmember Sowid      MOTION PASSED: UNANIMOUSLY

**OLD BUSINESS**

- 3. Discussion and Possible approval of the Notice of Intent to adopt Ordinance O-23-10; Amending Zoning Code 9.2 -Definitions by adding the definition of “Parcel Coverage,” Amending Article 5.2 -R Zone Residential, by adding the Maximum Parcel Percentage for Lot Coverage for New Construction to tables 5.2 and 5.2.3.A, and Amending Article 5.3.1 – Purpose, to exclude such requirements from the Historic Overlay District.

Joe Ward, Building Inspector / Code Enforcement

Mr. Estes explained this established the percentage of lot coverage for structures. This was common in most communities for construction. Existing properties would not be affected, this only applies to new construction.

MOTION: Councilmember Sowid moved to approve the Notice of Intent to adopt Ordinance O-23-10; Amending Zoning Code 9.2 -Definitions by adding the definition of “Parcel Coverage,” Amending Article 5.2 -R Zone Residential, by adding the Maximum Parcel Percentage for Lot Coverage for New Construction to tables 5.2 and 5.2.3.A, and Amending Article 5.3.1 -Purpose, to exclude such requirements from the Historic Overlay District.

SECOND: Councilmember Johns

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Davis, Sowid, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-6 NAYS-0

**NEW BUSINESS**

- 4. Public Hearing on Truth in Taxation and Public Hearing and Discussion of the FY 2023-24 Proposed Budget for the City of Bisbee.

Keri Bagley, Finance Director

Ms. Bagley explained this was noticed time for the public hearing on the Truth and Taxation along with the Proposed Budget. She said the tax rate levy had actually decreased but the total assessed values had increased. There would be an overall 2 percent increase.

Mayor Budge opened the public hearing. He asked if anyone was present to speak in favor or in opposition of this time. There were none. He asked the City Clerk if there had been any written correspondence.

Ms. Coronado responded that there had been none.

Mayor Budge closed the public hearing.

- 5. Discussion and Possible Approval of a Contract for Publishing Services/Official Newspaper of Record with the Bisbee Observer.

Ashlee Coronado, City Clerk

Ms. Coronado explained we had gone out to bid for Publishing Services and only received one bid from the Bisbee Observer. There was a small increase of fifteen cents from last year. We would be paying \$5.25 per column inch.

MOTION: Councilmember Davis moved to approve the contract for Publishing Services/ Official Newspaper of Record with the Bisbee Observer.

SECOND: Councilmember Cline      MOTION PASSED: UNANIMOUSLY

- 6. Discussion and Possible Approval to allow the Bisbee Police Department to purchase 15 10-8 Arsenal Body Worn Cameras includes software, chargers and docking stations in the amount of \$15,000.

Tim Cox, Chief of Police

Chief Cox explained the department was requesting the purchase of 15 body cameras. These cameras were a great tool in keeping everyone accountable. This was becoming the standard throughout the nation. He discussed the comparison between other cameras. He said this also came with the software necessary to redact the videos when necessary. Chief Cox said this would be split between this year and next years budget. He was still awaiting the cost of cloud storage from our IT department. This would be a one-time expenditure. The only ongoing cost would be software every 5 years.

Councilmember Cline asked how long we had to keep the recordings.

Chief Cox responded that it followed different retention schedules depending on the calls and charges.

Council discussed the warranties and replacements with the equipment.

Councilmember Sowid asked if there were established policy and procedures in place for the cameras as to when they should be turned on and off. He wanted to be sure we were purchasing something that would be utilized.

Chief Cox responded that the policy had already been written with the help of the Department of Justice. This was in line with the federal standards. He said the policy would be sent to legal for his review and approval, then brought to Council for their review.

Councilmember Sowid said his recommendation was to have the policies and procedures in place before the purchase of these cameras. He then asked about the costs of cloud storage. He preferred that everything be presented all at once.

Chief Cox responded that we were coming up to the end of the fiscal year and he wanted to be able to purchase the cameras during the current fiscal year.

Mayor Budge agreed that a policy needed to be in place before the cameras are put into service. He preferred that be part of the motion if approved.

Councilmember Giacomino asked if there was a way to negotiate a longer-term contract for the software. That might save us some money in the long run. She also asked if this was enough to have one camera for each office. Councilmember Giacomino discussed the policy and procedures and when the camera was to be turned on and off.

Chief Cox responded that he had requested all available contracts and he had received a 1,2,3 and 5 year contract. Chief Cox also said that each officer would be issued a camera. He addressed various items within the policy.

Councilmember Hill asked who would have authorization to delete videos.

Chief Cox responded that there would only be one person and that would be him.

Mr. Estes said cameras have their limitations and only record what they are pointed at, but they are very useful and helpful. He also spoke on various necessary redactions and how the records would be handled.

MOTION: Mayor Budge moved to approve the Bisbee Police Department to purchase 15 10-8 Arsenal Body Worn Cameras includes software, chargers, and docking stations in the amount of \$15,000; to be used as soon as the policies are established and in place.

SECOND: Councilmember Sowid

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Davis, Sowid, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-6 NAYS-0

- 7. Discussion and Possible Approval to use American Rescue Plan Act Funds to pay for the installation of the Electric Car Chargers through APS Take Charge AZ.

Matthew Gurney, Public Works Director

Mayor Budge said this had started well over a year and a half ago. The first location did not work out and the project was placed on hold until the location at the Sowles was located. We were paying \$5,800 for this system and APS would be paying the remaining amount.

Andrew Laws, Bisbee resident said he appreciated that this was getting done. He wanted to point out that on the agenda item it referred to the Tombstone Canyon address. He requested that whoever makes the motion to specify that it was not being approved for Tombstone Canyon.

Mayor Budge explained the easement was already approved for the Sowles location and that was where the chargers were being installed.

MOTION: Mayor Budge moved to approve to use American Rescue Plan Act Funds to pay for the installation of the Electric Car Chargers through APS Take Charge AZ at the Sowles Avenue parking lot and not on 201 Tombstone Canyon.

SECOND: Councilmember Cline

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Davis, Sowid, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-6 NAYS-0

- 8. Discussion and Possible Approval to use ARPA Funds to purchase sewer pipe and fixtures for the Wastewater Collections Department.

Matthew Gurney, Public Works Director

Mr. Gurney said the Wastewater Department was requesting approval to purchase sewer pipe and fixtures not to exceed \$20,000 using ARPA funds.

Councilmember Sowid said this wasn't very specific. There was not a list included, so the Council had no idea what they were approving. He requested that this be more specific.

Mr. Gurney said he would be coming back to the Council for approval with an actual list and total costs.,

MOTION: Councilmember Cline moved to approve to use ARPA Funds to purchase sewer pipe and fixtures for the Wastewater Collections Department.

SECOND: Councilmember Davis

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Davis, Sowid, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-6 NAYS-0

- 9. Update on the City Pool.

Matthew Gurney, Public Works Director

Mr. Gurney said Ray Montoya, from Kimley Horn, was here tonight to give an update on the pool from their engineering report. He said about a month and a half ago the pool was drained in attempt to locate all the pipes and inlets.

Ray Montoya, Kimley Horn representative gave an update on the City Pool. The engineering report was attached as Exhibit "A".

Council commented and asked questions regarding the presentation. Mr. Montoya and staff responded. Mr. Montoya noted the next steps that were necessary to be able to move forward.

- 10. City Manager's Report:

COUNCIL COMMENTS OR FUTURE AGENDA ITEM SUGGESTIONS: (Council members may suggest topics for future meeting agendas, but Council will not here discuss, deliberate, or take any action on these topics.):

MOTION: Councilmember Davis moved to adjourn the meeting.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 8:40PM

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Ken Budge, Mayor